

NO. 25651

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee, v.
CLIFFORD SHIROMA, Defendant-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT
(CR. NO. 02-1-0050)

SUMMARY DISPOSITION ORDER

(By: Burns, C.J., Lim and Foley, JJ.)

Defendant-Appellant Clifford Shiroma (Shiroma) appeals from the Judgment filed on January 22, 2003 in the Circuit Court of the First Circuit (circuit court).¹ Shiroma was convicted of Kidnapping, in violation of Hawaii Revised Statutes (HRS) § 707-720(1)(e) (1993), and Violation of an Order for Protection, in violation of HRS § 586-11 (Supp. 2003).

On appeal, Shiroma contends he was rendered ineffective assistance of counsel in violation of his constitutional right to assistance of counsel.

Upon careful review of the record and the briefs submitted by the parties, we hold that Shiroma's contention fails because he did not fulfill his burden to establish that the specified errors "resulted in either the withdrawal or

¹ The Honorable Karl K. Sakamoto presided.

substantial impairment of a potentially meritorious defense." State v. Jones, 96 Hawai'i 161, 166, 29 P.3d 351, 356 (2001).

Therefore,

IT IS HEREBY ORDERED that the Judgment filed on January 22, 2003 in the Circuit Court of the First Circuit is affirmed.

DATED: Honolulu, Hawai'i, October 5, 2004.

On the briefs:

Tae Chin Kim
for defendant-appellant.

Donn Fudo,
Deputy Prosecuting Attorney,
City and County of Honolulu,
for plaintiff-appellee.

Chief Judge

Associate Judge

Associate Judge